

# COMMENT NO. 3

Nov-10-05 02:45pm From-California Coastal

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

## CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
200 Oceanside, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



November 10, 2005

County of Orange Dana Point Harbor Department  
Attn: Ms. Sonia Nasser, Engineering Manager  
24650 Dana Point Harbor Drive  
Dana Point, CA 92629

**Re: Dana Point Harbor Revitalization Project  
Draft Program Environmental Impact Report (SCH# 2003101142)**

Dear Ms. Nasser,

Thank you for the opportunity to review the Draft Program Environmental Impact Report for the Dana Point Harbor Revitalization Project. According to the Draft Program Environmental Impact Report, the proposed project will establish a commercial core and provide for the replacement and/or remodeling of all existing retail and restaurant buildings. The proposed project also includes the reconfiguration of all existing surface parking areas to provide additional parking, new boater loading and drop-areas, new dry-stack boat storage spaces and improvements to boater service and public restroom buildings. The project will also provide for the relocation of certain yacht brokerage firms and other harbor-related uses to the commercial core and construction of a new lighthouse facility. The commercial core will also include the addition of 25,000 square feet of retail and restaurant uses, a festival plaza, and a 610 space parking deck. Additional improvements include: renovation and/or expansion of the Dana Point and Dana West Yacht Clubs, restaurant renovations, modifications to the Harbor Patrol Offices, reconfigure and/or reconstruct the marina docks and portions of the seawall, add visitor boat slips closer to the commercial core and construct a dinghy dock area adjacent to the Dana Wharf.

The proposed project is located within the coastal zone in the City of Dana Point. Portions of the proposed project are located within the Coastal Commission's jurisdiction and other portions are located within the City of Dana Point's jurisdiction. For those portions of the project that are within the Commission's permit jurisdiction, the project must be evaluated for consistency with the Chapter 3 policies of the Coastal Act and will require a coastal development permit from the Coastal Commission. For those portions of the project within the City of Dana Point's jurisdiction, the project must be evaluated for consistency with the City of Dana Point's LCP and a coastal development permit from the City of Dana Point will be required.

3A

The following comments address the issue of the proposed project's consistency with the Chapter 3 policies of the California Coastal Act of 1976. The comments contained herein are preliminary and those of Coastal Commission staff only and should not be construed as representing the opinion of the Coastal Commission itself. As described below, the proposed project raises issues related to public views, lower cost visitor use and fill.

1. Public Views

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Part of the proposed project consists of the construction of two (2) dry-stack boat buildings, each with a maximum height of 75-feet. These buildings will result in long-term adverse visual impacts, as they will obstruct public views of the coast from Doheny State Beach (east of the harbor) and from Lantern Bay Park (north of the harbor). Therefore, alternative designs should be discussed

3B

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within the Draft Program Environmental Impact Report that would lessen the significant adverse impacts to public views.

3B  
Continued

2. Boat Docks

Section 30213 of the Coastal Act states that lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. A component of the proposed project is to replace the existing boat docks located in the East and West Marina with larger docks to accommodate larger boats. The existing smaller docks in these marinas provide lower cost boating opportunities for the public, but they are now proposed to be removed. How will the proposed project adequately address lower cost boating opportunities? In addition, how many boat docks for smaller boats (approximately a maximum of 30-feet in length) currently exist in the East and West Marina and surrounding area? These items should be discussed within the Draft Program Environmental Impact Report

3C

In addition, a discussion regarding the dimensions and type of materials that will be used for the new docks and piles as well as how the piles will be installed should be discussed within the Draft Program Environmental Impact Report.

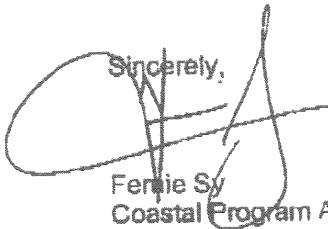
3D

3. Bulkhead

Another part of the proposed project consists of possible reconstruction of the East and West Marina seawalls. If work is determined to be necessary on the bulkheads, it should be substantiated in a study prepared by an appropriately licensed professional (i.e. engineer with expertise in coastal processes). If the bulkhead work results in additional fill of coastal waters, it must demonstrate that the proposed impact would be allowable under the Coastal Act. This all should be discussed within the Draft Program Environmental Impact Report

3E

Thank you for the opportunity to comment on the Draft Program Environmental Impact Report for the Dana Point Harbor Revitalization Project. Commission staff request notification of any future activity associated with this project or related projects. Please note, the comments provided herein are preliminary in nature. Additional and more specific comments may be appropriate as the project develops into final form and when an application is submitted for a coastal development permit. Please feel free to contact me at 562-590-5071 with any questions.

Sincerely,  
  
Fernie Sy  
Coastal Program Analyst

Cc: State Clearinghouse



Response No. 3

California Coastal Commission  
South Coast Area Office  
Fernie Sy, Coastal Program Analyst

- 3A. Comment noted. Please refer to Section 3.0 (Errata) for a clarification of the various project components. The proposed Project will comply with all applicable requirements for development within the Coastal Zone, irrespective of jurisdiction. As such, the proposed Project will obtain necessary Coastal Development Permits (CDP) from either the Coastal Commission or the City of Dana Point, including review of the Project relative to its consistency with Chapter 3 policies of the Coastal Act or the City of Dana Point's Local Coastal Program (LCP). Appendix L (Relevant Consistency Analysis) of the DEIR discusses the Project's consistency with relevant planning documents, codes, and regulations, including applicable California Coastal Act policies.
- 3B. The DEIR concludes on page 4.2-57 that implementation of the proposed dry stack boat storage buildings would result in significant unavoidable impacts relative to long-term off-site aesthetics, even with implementation of applicable Project Design Features and Standard Conditions of Approval. Views of, and across the Project site would be protected to the maximum extent practicable, but impacts to views from certain off-site locations would remain significant.

All of the alternatives considered for the proposed Project would reduce long-term off-site view impacts, given the elimination of one or both of the dry-stack boat storage structures. However, these alternatives were determined in the DEIR to not meet the objectives of the Project, which include provision of adequate facilities to meet current and projected demands, including the need for dry stack storage facilities. Note that the operational requirements of storing the boats in a dry stack condition dictate that the buildings be located adjacent to the water. Modified viewshed locations are from Doheny State Beach (Exhibits 4.2-16a through 4.2-16b) and Lantern Bay Park (Exhibits 4.2-17a through 4.2-17b). Please refer to Attachment A (Revisions to DEIR Exhibits). The DEIR contained viewshed analyses from these two areas; however, a subsequent analysis was conducted for locations closer to the Harbor.

**Views From the North**

Views at the edge of the bluff top pedestrian path within Lantern Bay Park will be altered as a result of the dry stack boat storage buildings. As illustrated in Exhibits 4.2-17 a/b (Viewshed 11), views are of the Harbor channel entry, public boat launch area, and shipyard. Due to the extensive existing and proposed vegetation, views from Doheny State Beach are screened from this viewpoint. Implementation of the proposed improvements would partially obstruct views of the ocean. In addition, views of the shipyard area would be completely obstructed by the dry stack boat-storage buildings. Due to the extensive amount of view blockage from the northern vantage point, both alternatives would result in a significant amount of view blockage and impacts would be significant and unavoidable.



**Views From the East**

The views westward from Doheny State Beach will be of both dry stack-boat storage buildings, which will include marine retail uses. Please refer to Exhibit 4.2-16a/b (Viewshed 10). The skyline views from this off-site area may impede the background views of the bluffs to the northwest. However, views are presently partially obstructed by the jetty and mature landscaping. Regardless, impacts will be considered significant and unavoidable due to the obstruction of views of the coast and bluffs to the west.

The entire Harbor was evaluated for an optimal location for the dry stack boat-storage buildings to provide the environmentally superior site. The current location was selected due to the proximity to the water, partial screening from the adjacent topography, access from Puerto Place which allows exclusive entry for boaters, and minimizing displacement of boat docks, availability of parking, and compatibility of surrounding uses. Note that the siting and sizing (reduction from one massive building to two smaller buildings) of the proposed dry stack boat storage buildings was selected to alleviate the City of Dana Point's concerns regarding views from Dana Point Harbor Drive and Lantern Bay Park.

- 3C. As discussed in Appendix L (Relevant Consistency Analysis) of the DEIR, the proposed Project would be consistent with Section 30213 of the Coastal Act. While the Project would replace some of the existing small boat slips in the East and West Marinas with slips suited for larger craft, additional small craft storage areas would be provided almost exclusively for small craft.

Currently there is a shortage of larger slips in the Harbor. The following tables provide a description of the current boat storage demand in the east and west basins.

**East Basin**

Slip Size	Maximum Length	Estimated Waiting Time	Distribution
Inside Ties			30
24'	24'	3 Months	42
28'	28'	2 Months	617
29'	29'	8 Months	63
33'	33'	1.5 Years	307
38'	38'	3 Years	167
43'	43'	6 Years	96
48'	48'	6.5 Years	60
53'	53'	7 Years	12
58'	58'	8 Years	14
63'	63'	13 Years	9
End Tie	85'	10 Years	19
<b>Total</b>			<b>1,436</b>



## West Basin

Slip Size	Maximum Length	Estimated Waiting Time	Distribution
22' ST	22'	Available	89
22'	22'	6 Month	18
24'	27'	6 Month	94
25'	28'	11 Month	88
26'	29'	6 Month	224
28'	31'	2 Years	116
30'	33'	5 Years	74
35'	38'	10 Years	96
40'	43'	15 Years	43
45'	48'	12 Years	49
50'	53'	15 Years	22
52'	55'	15 Years	12
55'	58'	15 Years	10
End Tie	End Tie Overall Length	15 Years	46
<b>Total</b>			<b>981</b>

In order to more efficiently meet greater public demand for larger craft opportunities at the Harbor, the Project would replace a number of small boat slips with slips for larger craft and off-set the reduction in small craft facilities by providing new dry stack storage. It is expected that, given the current surplus in small craft slips and storage, the proposed Project would more effectively provide lower cost recreational facilities at the Harbor. The dry stack storage is projected to be less expensive than wet slip storage both in terms of monthly storage fees and reducing maintenance costs.

- 3D. The dock replacement is a programmatic element of the Project and at this time design and engineering studies have not determined the dimensions or materials to be used. The level of study conducted to date provides an assessment of the current facilities status and several preliminary reconfiguration and marketing studies have been conducted to assess alternatives for the reconfiguration of the Harbors marinas. In all cases, construction would utilize techniques to minimize disruption to Harbor uses and to minimize sedimentation during piling installation.
- 3E. As discussed on page 4.3-2 in Section 4.3 (Geology, Soils, and Seismicity) of the DEIR, the bulkheads within Dana Point Harbor require corrective measures as a result of vertical settlement. The need for improvements to the bulkheads have been substantiated by a report prepared by BlueWater Design Group (December 2003), which based on visual inspections of the areas fronting Planning Areas 1 and 2, identified existing structures in need of repair or upgrade. Bulkheads, among other infrastructure, were determined to be in need of improvements, which may or may not entail additional fill of coastal waters. If additional fill is required, such work would be carried out following approval by affected agencies with jurisdiction over coastal waters, including the United States Army Corps of Engineers and the California Coastal Commission, to ensure that the filling of coastal waters is consistent with the Coastal Act and other applicable rules and regulations. Subject to review and approval by affected agencies, bulkhead improvements would be carried out by a qualified professional engineer.